

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 1:22-cv-22657-MOORE/LOUIS

COURTNEY MCLEOD,

Plaintiff,

vs.

CHEF CREOLE INC.,

Defendant.

MOTION TO COMPEL FACT INFORMATION SHEET

Plaintiff, Courtney McLeod, having recovered a judgment in this case against Defendant, Chef Creole, Inc., requests the Court to require the judgment debtor to provide the information and materials that will enable it to collect on the judgment, as follows:

1. Rule 69(a)(2) of the Federal Rules of Civil Procedure entitles a prevailing party to employ discovery in furtherance of execution on a judgment:

In aid of the judgment or execution, the judgment creditor or a successor in interest whose interest appears of record may obtain discovery from any person--including the judgment debtor--as provided in these rules or by the procedure of the state where the court is located.

2. Rule 1.560(c) of the Florida Rules of Civil Procedure, in turn, permits a judgment creditor such as the Plaintiff to request of the Court the following:

In addition to any other discovery available to a judgment creditor under this rule, the court, at the request of the judgment creditor, **shall order the judgment debtor or debtors to complete form 1.977, including all required attachments, within 45 days of the order or such other reasonable time as determined by the court.**

3. Having secured a judgment against Defendant, Chef Creole, Inc., Plaintiff requests that the Court require the Defendant to complete a Florida Form 1.977 Fact Information Sheet,

including all attachments, within 30 days, in the form(s) appended hereto as Exhibit "A.". *See Whitwam v. JetCard Plus, Inc.*, 2014 WL 6433226 (S.D. Fla. Nov. 13, 2014.)

4. Plaintiff further requests the Court to require this Defendant to complete the Florida Form 1.977 Fact Information Sheet in the form appended hereto as Exhibit "A," to return it with all attachments, and "to fax and/or hand-deliver the same to Plaintiffs' Counsel" within 30 days of service of the Fact Information Sheet on Defendant. *Rodriguez v. Super Shine & Detailing, Inc.*, 2013 WL 4786596, at *4 (S.D. Fla. Sept. 6, 2013).

CONCLUSION

For the foregoing reasons, Plaintiff respectfully requests the Court to compel Defendant, Chef Creole, Inc., to complete and return the Form 1.977 Fact Information Sheet, with all required attachments, to Plaintiff's counsel within 30 days of service of the Fact Information Sheet on Defendant.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served through filing in the U.S. District Court's CM/EDF System on June 30, 2023, which will effect service on all who appear in this action, and by U.S. Mail on Defendant, Chef Creole Inc, 13125 W. Dixie Highway, North Miami, FL 33161.

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